IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3904 of 2007

==========

Shiv Shankar Kuer, son of Late Kulo Kuer, resident of Village- Bhramarpur, P.S. Bihpur, District- Bhagalpur

.... Petitioner/s

Versus

1. The State Of Bihar
2. The Collector, Bhagalpur
3. Mod Narain Singh, son of Late Harakhu Singh
4. Bhola Nath Singh
5. Arun Prasad Singh
6. Vinay Prasad Singh,

All residents of Village- Bhramarpur, P.S. Bihpur, District- Bhagalpur

.... Respondent/s

==========

Appearance :
For the Petitioner/s : Mr. Sanjeev Kumar
Mr. Ritesh Kr.Nr.Singh
Mr. Pawan Kumar

For the Respondent/s : Mr. Kumari Amrita (Sc(C)1)

==========

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

---

4 26-02-2013 Heard learned counsel for the petitioner and learned Govt. Pleader no.10, who appears on behalf of Respondent/ State.

Though the present writ petition was filed in the year 2007, till date no notice has been directed to be issued to private Respondents. In the present writ petition, the petitioner has mainly prayed for quashing of an order passed under Section 45(B) of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Act) Act 1961, whereby the prayer of the petitioner for re-opening of the case was rejected.

WEB COPY NOT OFFICIAL

During the pendency of the present writ petition, for adjudication of such dispute, a forum has been created as the land tribunal under the provision of Bihar Land Tribunal Act, 2009 (hereinafter referred to as the "Act") and the said tribunal is already functioning. Accordingly, the Court is of the opinion that in view of constitution of the land tribunal, record of the present case can be directed to be transferred to the said land tribunal. Accordingly, as per provisions contained in Section 15 of the Act, the Registry is directed to transmit the record of the case to the said land tribunal forthwith.

It is made clear that till further order is passed by the land tribunal, the parties directed to maintain status quo.

(Rakesh Kumar, J)

NKS/-